



Signed and Filed: May 2, 2025

A handwritten signature in black ink, reading "Dennis Montali", is positioned above the printed name of the judge.

DENNIS MONTALI
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re)	Bankruptcy Case
)	No. 23-30564-DM
THE ROMAN CATHOLIC ARCHBISHOP)	
OF SAN FRANCISCO,)	Chapter 11
)	
)	
Debtor.)	
)	
)	

ORDER GRANTING MOTION TO ALLOW FILING OF LATE CLAIM

On April 1, 2025, movant LL John Doe JU ("Movant") filed a Motion for an Order to Enlarge the Claims Bar Date to Allow the Filing of Late Proof of Claim ("Motion") (Dkt. 1120). On April 24, 2025, Debtor filed a Reservation of Rights (Dkt. 1156) as to the Motion but did not oppose the relief requested. For the reasons set forth below, the court will GRANT the Motion.

I. Discussion

A bankruptcy court may, on motion of a claimant filed after the applicable deadline, deem a late claim to be timely filed if the delay "was the result of excusable neglect." Fed. R. Bankr. Pro. 9006(b)(1). The decision regarding whether a late claim was the result of excusable neglect "is at bottom an equitable

1 one, taking account of all relevant circumstances surrounding
2 the party's omission." *Pioneer Inv. Services Co. v. Brunswick*
3 *Associates Ltd. Partnership*, 507 U.S. 380, 395 (1993).
4 Circumstances include "the danger of prejudice to the debtor,
5 the length of the delay and its potential impact on judicial
6 proceedings, the reason for the delay, including whether it was
7 within the reasonable control of the movant, and whether the
8 movant acted in good faith." *Id.* The court may weigh each these
9 factors in its discretion.

10 Neither the Debtor nor the court question the Movant's good
11 faith. The court considers the remaining *Pioneer* factors below.

12 Here, the delay is long—over one year after the Claims Bar
13 Date passed on February 20, 2024. This length of delay in
14 seeking allowance of the late filed claim is certainly on the
15 outer bounds of acceptability without further explanation.

16 Movant's counsel explains that Movant was part of a list of
17 clients for which counsel timely filed all other proofs of
18 claim, but due to a processing error, Movant's claim was not
19 filed along with the other proofs of claim counsel was tracking
20 and filing. Only recently did counsel discover the mistake.
21 This error, though unfortunate, is excusable — both Movant and
22 counsel believed they had properly followed all procedures to
23 timely file a claim, as evidenced by other counsel's clients'
24 claims being filed with no issue.

25 The prejudice to the Debtor and the impact on judicial
26 proceedings is minimal. The Debtor is currently mediating a
27 global resolution to all claims and has not yet proposed a plan.
28 Debtor itself has also stated its view that the mediation

1 process is in its "early stages" (Dkt. 1083 at 8), meaning one
2 more proof of claim (that may yet be disallowed for reasons
3 other than timeliness) will not jeopardize the settlement
4 process.

5 **II. Conclusion**

6 For the reasons stated above, the court hereby GRANTS the
7 Motion and drops it from the May 8, 2025 calendar. **Within 30**
8 **days of entry of this Order**, Movant, via counsel, shall file, if
9 he has not already, his Proof of Claim and Confidential Survivor
10 Supplement with claims and noticing agent for the Debtor, Omni
11 Agent Solutions Inc., pursuant to the instructions on those
12 aforementioned documents.

13 The court FURTHER ORDERS that:

14 1) Nothing herein shall be construed to impair or
15 diminish in any way the rights of any party, including the
16 Debtor, to object to the claim of Movant on any grounds except
17 for the timeliness of the filing of Movant's claim, pursuant to
18 Federal Rule of Bankruptcy Procedure 3007 or any other
19 applicable law, or any procedure approved by the Bankruptcy
20 Court with respect to the same. All parties' rights and defenses
21 with respect to any objection to Movant's claim are expressly
22 reserved, including without limitation any time-bar or statute
23 of limitations defenses (other than timeliness of the filing of
24 Movant's claim).

25 2) Nothing herein shall be construed to impair or
26 diminish in any way the rights of any party, including the
27 Debtor, to object to other claims not filed prior to the
28 February 20, 2024, Bar Date, for which a corresponding motion to

1 allow late-filed claim(s) is pending or has not yet been filed,
2 on any grounds. All parties' rights and defenses with respect to
3 *other* claims not timely filed by the February 20, 2024, Bar Date
4 are expressly reserved, including without limitation any time-
5 bar or statute of limitations defenses (including the timeliness
6 of the filing of the *other* claims).

7
8 **END OF ORDER**
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COURT SERVICE LIST

ECF Recipients